

**Atty. Docket No. IDF 1415 (4000-00900)****Patent****REMARKS*****Status of Claims***

Claims 1-14 are currently pending in this application.

Claims 1, 9, and 14 are currently amended.

Applicants hereby request further examination and reconsideration of the presently claimed application.

***Telephone Interview***

The Applicants would like to thank the Examiner for conducting the telephone interview on August 25, 2005 and for preparing the interview summary.

***35 USC § 103 Rejection***

Claims 1-13 stand rejected under 35 USC § 103 as obvious over *Hartley* (6,532,465) in view of *Dong* (6,499,023) and further in view of *Lipkin* (6,721,747). Claim 14 stands rejected under 35 USC § 103 as obvious over *Hartley* (6,532,465) in view of *McComb* (6,006,224) and further in view of *Lipkin* (6,721,747). Claims 5 and 10 stand further rejected under 35 USC § 103 as obvious over *Hartley* (6,532,465) in view of *Dong* (6,499,023) further in view of *Lipkin* (6,721,747), and further in view of *Brownell* (6,009,266).

Claims 1-14, as amended, are not obvious over the cited prior art because the cited prior art fails to teach or suggest every claimed limitation. The requirements for establishing a *prima facie* case of obviousness are well established:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on

**Atty. Docket No. IDF 1415 (4000-00900)****Patent**

Applicants' disclosure. MPEP § 2142 citing *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991) (emphasis added).

Amended claim 1 reads:

1. A framework for isolating a business component from specific implementations of a datastore, comprising:

- (a) a database wrapper in communication with a business component;
- (b) a domain object factory in communication with the database wrapper;
- (c) a domain object in communication with the domain object factory; and
- (d) a datastore in communication with the domain object, wherein the database wrapper provides an additional abstraction layer between the domain object factory and the business component;

**wherein data is converted from a persistent state to a transient state prior to being passed from the database wrapper to the business component.**

Similar limitations are found in claims 9 and 14.

The Examiner cannot meet the third prong of the obviousness test because the cited prior art does not teach the conversion of data from a persistent state to a transient state prior to being passed from the database wrapper to the business component. The cited prior art fails to address the state of the data as it is passed between the database wrapper and the business component. Thus, the prior art cannot teach or suggest the limitation that the data is converted from a persistent state to a transient state prior to being passed from the database wrapper to the business component. By failing to teach or suggest an element of the claims, the Examiner is unable to meet the third prong of the obviousness test and, consequently, cannot make out a prima facie case of obviousness.

### ***Rule 131 Declaration***

In addition, the Examiner continues to assert the position that the previous Rule 131 declaration is deficient. Applicants respectfully traverse this rejection because the claimed limitations are present in the exhibits of record. For example, the first three limitations of claim 1 can be found on page 1 of the technical reference guide. More specifically, the "Services and

***Atty. Docket No. IDF 1415 (4000-00900)******Patent***

Capabilities” section describes how the database wrapper, the domain object factory, and the domain object interact with each other. The third and fourth limitations of claim 1 are described on pages 18 and 20, respectively, of the Power Point presentation, while support for the new amendment is found on page 13 of the Power Point presentation. As to claims 9 and 14, support for these limitations is found on pages 12, 13 and 18 of the Power Point presentation and on page 8 of the technical reference guide. Thus, the two exhibits provided by the Applicants clearly support the claimed limitations and the Examiner’s rejection should be withdrawn. Should the Examiner continue to assert that the claimed limitations are not present in the exhibits, the Applicants hereby expressly reserve the right to raise such issues on appeal to the Board of Patent Appeals and Interferences.

*Atty. Docket No. IDF 1415 (4000-00900)**Patent***CONCLUSION**

Consideration of the foregoing amendments and remarks, reconsideration of the application, and withdrawal of the rejections and objections is respectfully requested by Applicants. No new matter is introduced by way of the amendment. It is believed that each ground of rejection raised in the Office Action dated July 19, 2005 has been fully addressed. If any fee is due as a result of the filing of this paper, please appropriately charge such fee to Deposit Account No. 21-0765, Sprint. If a petition for extension of time is necessary in order for this paper to be deemed timely filed, please consider this a petition therefore.

If a telephone conference would facilitate the resolution of any issue or expedite the prosecution of the application, the Examiner is invited to telephone the undersigned at the telephone number given below.

Respectfully submitted,

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